

E-Filed 4/2/15

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LEON LEE MEYERS,

No. C 14-3123 RS (PR)

Plaintiff,

**ORDER DISMISSING COMPLAINT
WITH LEAVE TO AMEND**

v.

DEPT. OF CORRECTIONS AND
REHABILITATION,

Defendants.

Plaintiff, a state prisoner proceeding pro se, filed this federal civil rights action under 42 U.S.C. § 1983 in which he raises Eighth Amendment medical treatment claims against medical staff at Salinas Valley State Prison. He has filed a complaint (Docket No. 1), a supplement to the complaint (Docket No. 4), and a notice of a list of defendants to be served (Docket No. 25). It is unclear from these several documents what constitutes the operative complaint in this action. **Accordingly, plaintiff is directed to file an amended complaint on or before May 15, 2015.** The first amended complaint must include the caption and civil case number used in this order (14-3123(RS (PR)) and the words FIRST AMENDED COMPLAINT on the first page. Because an amended complaint completely replaces the previous complaints, plaintiff must include in his amended complaint all the claims he wishes to present and all of the defendants he wishes to sue. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992). Plaintiff may not incorporate material from the prior complaint by

1 reference. Failure to file an amended complaint in accordance with this order will result in
2 dismissal of this action without further notice to plaintiff.

3 It is plaintiff's responsibility to prosecute this case. Plaintiff must keep the Court
4 informed of any change of address by filing a separate paper with the clerk headed "Notice of
5 Change of Address." He must comply with the Court's orders in a timely fashion or ask for
6 an extension of time to do so. Failure to comply may result in the dismissal of this action
7 pursuant to Federal Rule of Civil Procedure 41(b). The Court notes that the filing fee has
8 been paid.

9 **IT IS SO ORDERED.**

10 DATED: April 2, 2015


11 RICHARD SEEBORG
12 United States District Judge
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